

Application No. 10/625,079  
Response to Office Action

Customer No. 01933

Listing of Claims:

1. (Original) A method for ablating or irradiating a tumor in a body while protecting a nearby structure from the effects of the ablation, comprising the steps of:

inserting an ablation device to a location in the body  
5 proximate the tumor, the ablation device having at least one ablation source;

interposing an ablation shield between the tumor and the nearby structure; and then

activating the ablation source to ablate the tumor while the  
10 nearby structure is shielded by the ablation shield.

2. (Original) The method of claim 1, further comprising the steps of:

imaging at least a region including and surrounding the tumor; and

5 guiding the ablation device toward the tumor based on the imaging.

3. (Original) The method of claim 1, wherein at least one ablation source is a plurality of wires, the wires being activated to emit radio-frequency current from their tips to create heat to ablate the tumor.

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4. (Original) The method of claim 1, wherein the ablation shield is interposed percutaneously.

5. (Original) The method of claim 1, further comprising the steps of:

imaging at least a region including and surrounding the tumor and the nearby structure; and

5 guiding the ablation shield to a position between the tumor and the nearby structure based on the imaging.

6. (Original) The method of claim 1, further comprising the steps of:

imaging at least a region including and surrounding the tumor and the nearby structure;

5 guiding the ablation device toward the tumor based on the imaging; and

guiding the ablation shield to a position between the tumor and the nearby structure based on the imaging.

7. (Original) The method of claim 1, wherein the ablation shield is a balloon.

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8. (Original) The method of claim 7, further comprising the step of inflating the balloon with a fluid after the balloon is interposed between the tumor and the nearby structure and prior to activation of the at least one ablation source.

9. (Original) The method of claim 8, further comprising the step of selecting the fluid to inflate the balloon from a group consisting of air, carbon dioxide and deionized water.

10. (Original) The method of claim 8, further comprising the step of selecting the fluid based on the type of ablation source.

11. (Original) The method of claim 1, further comprising the step of constructing the ablation shield to increase a distance between the tumor and the nearby structure when interposed therebetween.

12. (Original) The method of claim 1, further comprising the step of constructing the ablation shield from a material which serves as a shielding material to counteract the effects of the at least one ablation source.

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13. (Original) The method of claim 1, wherein the ablation shield is a fan retractor having an expandable fan portion folded upon interposition of the fan retractor between the tumor and the nearby structure, further comprising the step of expanding the fan portion after the fan retractor is interposed between the tumor and the nearby structure and prior to activation of the at least one ablation source.

14. (Original) The method of claim 13, further comprising the step of selecting the orientation of the fan retractor such that the fan portion expands either to push the nearby structure away from the tumor or to cause a substantial part of the fan portion to be present between the tumor and the nearby structure.

15. (Original) The method of claim 13, wherein the fan portion expands to causes a substantial part of the fan portion to be present between the tumor and the nearby structure, further comprising the step of selecting the material of the fan portion to counteract the effects of the at least one ablation source.

16. (Currently Amended) A ~~The method for treating a tumor requiring multiple, sequential treatment, comprising the steps of~~

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of claim 1, wherein treatment of the tumor requires multiple, sequential treatments, and the method further comprises:

- 5     ~~performing a first treatment on the tumor;~~  
          marking ~~the~~ an area of the tumor treated by the ablation  
          ~~during the first treatment;~~ and  
          performing at least one subsequent treatment on the tumor  
          based on the marked area of the tumor.

17. (Currently Amended) The method of claim 16, wherein the  
treatments ablation and the subsequent treatment performed on the  
tumor are radiofrequency ablations performed using a needle probe  
as the ablation device, and the step of marking the area of the  
5     tumor ~~comprising the step of~~ comprises placing a radio-opaque  
material at a location at ends of wires of ~~a~~ the needle probe  
~~used in the radiofrequency ablations.~~

18. (Currently Amended) ~~A~~ The method for ~~differentiating~~  
~~between instruments used in surgery, comprising the steps of:~~  
~~providing a plurality of instruments used for surgery of claim 1,~~  
~~wherein each instrument used to perform the ablation is~~  
5     provided with a different signature ~~; and enabling visibility of~~  
~~the signatures that is visible~~ during imaging performed during  
the surgery ablation.

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19. (Currently Amended) The method of claim 18, ~~further comprising the step of incorporating wherein~~ each said instrument is provided with the same signature in multiple signature types such that the same signature is visible ~~for imaging for~~ using multiple imaging modalities.

Claim 20 (Canceled).